

ZB# 00-07

Andrew Ryan

50-2-12.2

Prelim.

Feb. 14, 2000

7128 1/2

Notice to Sentinel 4/24/00

Public Hearing:

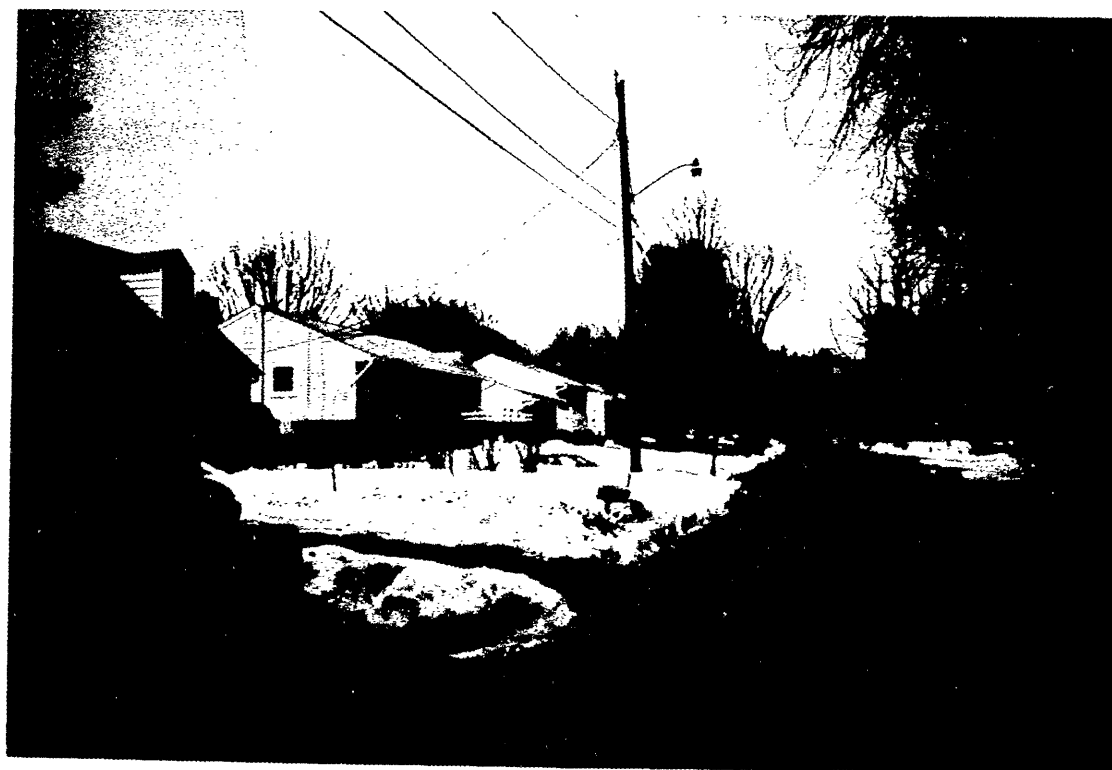
March 27, 2000

Approved

Refund \$198.50

#00-07- Ryan, Andrew E.

Area 50-2-12.2





APPLICATION FEE (DUE AT TIME OF FILING OF APPLICATION)

APPLICANT: Ryan, Andrew E.

FILE# 00-07

RESIDENTIAL: \$50.00
INTERPRETATION: \$150.00

COMMERCIAL: \$150.00

AREA X

USE

APPLICATION FOR VARIANCE FEE \$ 50.00

*Paid ck # 326
2/22/00*

ESCROW DEPOSIT FOR CONSULTANT FEES \$ 300.00

*paid ck.
325*

DISBURSEMENTS:

STENOGRAPHER CHARGES: \$4.50 PER PAGE

PRELIMINARY MEETING-PER PAGE 2/14/00 - 3 \$ 13.50

2ND PRELIMINARY- PER PAGE 3/27/00 - 4 \$ 18.00

3RD PRELIMINARY- PER PAGE \$

PUBLIC HEARING - PER PAGE \$

PUBLIC HEARING (CONT'D) PER PAGE \$

TOTAL \$ 31.50

ATTORNEY'S FEES: \$35.00 PER MEEETING

PRELIM. MEETING: 2/14/00 \$ 35.00

2ND PRELIM. 3/27/00 \$ 35.00

3RD PRELIM. \$

PUBLIC HEARING. \$

PUBLIC HEARING (CONT'D) \$

TOTAL \$ 70.00

MISC. CHARGES:

..... \$

TOTAL \$ 101.50

LESS ESCROW DEPOSIT \$ 300.00

(ADDL. CHARGES DUE) \$

REFUND DUE TO APPLICANT. \$ 198.50

[illegible]

50-584
210

325

ANDREW E. RYAN

Date 2/24/06

Pay to the order of Town of New Windsor \$ 300.00
Three Hundred & no cents Dollars

PREMIER NATIONAL BANK
56 RT. 17K
NEWBURGH, NY 12550

Memo SO-2-12.2-ZBA #00-02 Andrew E. Ryan

⑆02190584⑆ 4790 00036⑆ 0325

TO REORDER: 1-800-204-2244 • www.ChecksUnlimited.com

50-584
219

326

ANDREW E. RYAN

Date 2/22/00

Pay to the order of Town of New Windsor \$ 50.00
fifty & no cents Dollars

PREMIER NATIONAL BANK
56 RT. 17K
NEWBURGH, NY 12550

Memo D.2-D.2-ZBA #00-02 Andrew E. Ryan

⑆02190584⑆ 4790 00036⑆ 0326

TO REORDER: 1-800-204-2244 • www.ChecksUnlimited.com

-----X
In the Matter of the Application of

ANDREW RYAN

**MEMORANDUM OF
DECISION GRANTING
AREA VARIANCE**

#00-07
-----X

WHEREAS, ANDREW E. RYAN, residing at 207 Dubois Street, New Windsor, New York 12553, have made application before the Zoning Board of Appeals for a 31.3 ft. front yard variance for construction of a second story addition to single-family residence with cantilever at 19 Canterbury Lane in an R-3 zone at the above residence in an R-3 zone; and

WHEREAS, a public hearing was held on the 27th day of March, 2000 before the Zoning Board of Appeals at the Town Hall, New Windsor, New York; and

WHEREAS, Applicant appeared on behalf of this Application; and

WHEREAS, there were no spectators appearing at the public hearing; and

WHEREAS, no one spoke in favor or opposition to this Application; and

WHEREAS, a decision was made by the Zoning Board of Appeals on the date of the public hearing granting the application; and

WHEREAS, the Zoning Board of Appeals of the Town of New Windsor sets forth the following findings in this matter here memorialized in furtherance of its previously made decision in this matter:

1. The notice of public hearing was duly sent to residents and businesses as prescribed by law and in The Sentinel, also as required by law.

2. The evidence presented by the Applicant showed that:

(a) The property is a residential property consisting of a one-family home located in a neighborhood containing one-family homes.

(b) The Applicant proposes to construct a second story to the home.

(c) The variance is requested for the location of a cantilever to support the addition. The addition will make the home appear similar to other homes in the neighborhood.

(d) No trees will be removed for construction of the second story.

(e) If allowed, the second story would not obstruct any views.

(f) The addition, if allowed, will not change the course of any water drainage.

(g) The addition will not increase the number of bedrooms in the home.

(h) The home has apparently been abandoned and in its present situation is an eyesore in the neighborhood and is not consistent with the other homes in the neighborhood. The Applicant proposes a second story to make it consistent.

(h) The property is located on the corner of two streets, although it is contained on a larger lot than most of the neighboring homes.

(i) Applicant wishes to support the second story addition with a cantilever because without a cantilever the second story addition would appear to be very narrow and inconsistent with the other homes in the neighborhood.

(j) The construction would not be on the top of any water or sewer easement and would not interfere with any well or septic system; would not divert any water or create any ponding or collection of water.

WHEREAS, The Zoning Board of Appeals of the Town of New Windsor makes the following conclusions of law here memorialized in furtherance of its previously made decision in this matter:

1. The requested variance will not produce an undesirable change in the character of the neighborhood or create a detriment to nearby properties.

2. There is no other feasible method available to the Applicant which can produce the benefits sought.

3. The variance requested is substantial in relation to the Town regulations but nevertheless are warranted for the reasons listed above.

4. The requested variance will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or zoning district.

5. The difficulty the Applicant faces in conforming to the bulk regulations is self-created but nevertheless should be allowed.

6. The benefit to the Applicant, if the requested variance is granted, outweighs the detriment to the health, safety and welfare of the neighborhood or community.

7. The requested variance is appropriate and the minimum variance necessary and

adequate to allow the Applicant relief from the requirements of the Zoning Local Law and at the same time preserve and protect the character of the neighborhood and the health, safety and welfare of the community.

8. The interests of justice will be served by allowing the granting of the requested area variance.

NOW, THEREFORE, BE IT

RESOLVED, that the Zoning Board of Appeals of the Town of New Windsor GRANT a request for a 31.3 ft. front yard variance for construction of a second story addition to a single-family residence with cantilever at the above residence, in an R-3 zone as sought by the Applicant in accordance with plans filed with the Building Inspector and presented at the public hearing.

BE IT FURTHER

RESOLVED, that the Secretary of the Zoning Board of Appeals of the Town of New Windsor transmit a copy of this decision to the Town Clerk, Town Planning Board and Applicant.

Dated: May 22, 2000.


Chairman

Date 7/4/00, 19.....

TOWN OF NEW WINDSOR

**TOWN HALL, 555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553**

TO Frances Roth DR.
168 N. Drury Lane
Newburgh, N.Y. 12550

DATE		CLAIMED	ALLOWED
3/27/00	New Windsor Zoning Board Mtg	75.00	
	Misc - 3		
	Fox - 4		
	Exelucorp/Lewis Sign - 3		
	Ryan - 4	18.00	
	HZ Development - 4	15	
	18	81.00	
		156.00	

PUBLIC HEARING:

RYAN, ANDREW E.

MR. TORLEY: Request for 31.3 ft. front yard variance for construction of 2nd story addition on single-family residence with cantilever at 19 Canterbury Lane in an R-3 zone.

Mr. Andrew Ryan appeared before the board for this proposal.

MS. BARNHART: I don't see anybody here for the public hearing, although, let me see how many we sent.

MR. RYAN: Notices, about 40, 38, actually.

MS. BARNHART: Okay, that's good and they went out on February 29th.

MR. TORLEY: Tell us what you want to do.

MR. RYAN: Actually, it's, well, at the preliminary hearing, you did ask me since the house is very thin to, I'd like to add a second story to be able to cantilever the two foot front and back with a variance for the front. And although my house is by the survey very close to the property line, there's quite a bit of additional land before the road, I guess the town owns almost 40 feet to the road so that the cantilever really won't change the look of the neighborhood, but being that all the houses on the block of Canterbury and Old Forge there are very close to the road as well.

MR. KANE: Similar type houses?

MR. RYAN: Yes.

MR. KANE: Not cutting any trees down?

MR. RYAN: Oh no, no, it's just a small cantilever.

MR. TORLEY: Two feet expansion of the two foot overhang?

MR. RYAN: Yes. Doesn't obstruct any views, it's not a through street.

MR. TORLEY: Mike, the fact that the existing house encroaches on the front yard is why he's here.

MR. BABCOCK: Actually, it's both. The existing house, I'm not sure when it was built, Larry, it was built in 1955, so it didn't, zoning didn't much matter then.

MR. TORLEY: And so it's just a two foot overhang so you're not, our members said you're not cutting down trees, changing drainage?

MR. RYAN: No, no.

MR. REIS: Beautiful enhancement to the neighborhood.

MR. RYAN: I'm not adding bedrooms, just making larger, nicer, open areas. I've actually run into quite a few of the neighbors and this house has been abandoned for eight years and has been an eyesore and it's a pretty nice neighborhood and they're all thrilled to have--

MR. KRIEGER: It actually as it exists is a little smaller than the other houses?

MR. RYAN: Yes, it's only 18 1/2 feet.

MR. KRIEGER: Putting a second story would bring it up to the level of other neighbors?

MR. RYAN: Yes, right across the street they're building a brand new house larger than this with the cantilever front and back.

MR. KRIEGER: Property according to the pictures is peculiarly situated, it's on a corner?

MR. RYAN: Yes, actually, I have quite a bit more land than most of the neighbors, they're mostly 60 by 100, I have 90 by 100 and last weekend, since I have been meeting so many of the neighbors, I started, wrote up a small petition and my most immediate neighbors have signed, the guy across the street, the guy to my left,

few other people on the block.

MR. TORLEY: I'll read the petition language into the record. We the undersigned of neighbors of 19 Canterbury Lane support Andrew Ryan's application for variance to build a second story cantilever which encroaches into his front yard and there are six signatures attached.

MS. BARNHART: What's the date on that?

MR. TORLEY: I do not see a date.

MS. BARNHART: Okay.

MR. KRIEGER: The cantilever is necessary to have a second story of any respectable size?

MR. RYAN: Yes, it would improve the look of the house rather than be a detriment, if I just went straight up, it would be very thin looking, it wouldn't be very aesthetic.

MR. KRIEGER: This would be, this cantilever that you are looking for is the minimum necessary?

MR. RYAN: Yes.

MR. TORLEY: Entertain a motion.

MR. KANE: We sent a mailing out, did you mention that?

MS. BARNHART: Yes, I did, we sent 38 letters out on February 29.

MR. KRIEGER: This construction wouldn't be on the top of any water or sewer easement, would it?

MR. RYAN: No.

MR. KRIEGER: It wouldn't interfere with any well or septic?

MR. RYAN: No, I have town water, I had it turned on today, everything's fine with the system, gave me a new

March 27, 2000

13

meter.

MR. KRIEGER: It won't divert any water or create any ponding or collection of water?

MR. RYAN: No.

MR. KANE: I move that we approve the application for a variance by Mr. Andrew Ryan.

MR. REIS: Second it.

ROLL CALL

MR. MC DONALD	AYE
MR. REIS	AYE
MR. KANE	AYE
MR. TORLEY	AYE

**OFFICE OF THE BUILDING INSPECTOR
TOWN OF NEW WINDSOR
ORANGE COUNTY, NEW YORK**

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

**APPLICANT IS TO PLEASE CONTACT THE ZONING BOARD SECRETARY AT (914)563-4630 TO
MAKE AN APPOINTMENT WITH ~~THE~~ ZONING BOARD OF APPEALS.**

DATE: January 20, 2000

Amended

APPLICANT: Andrew E Ryan
207 Dubois Street
Newburgh, NY 12550

PLEASE TAKE NOTICE THAT YOUR APPLICATION DATE:

FOR : 2nd story Addition to Single family residence

LOCATED AT: 19 Canterbury Lane

ZONE: R-3

DESCRIPTION OF EXISTING SITE: 50-2-12.2

IS DISAPPROVED ON THE FOLLOWING GROUNDS:

1.48-12 Tables of use/Bulk tables, R-3 zone (Suburban Residential).
2nd story Addition will be cantilevered 2' over the 1st story, encroaching on the required front yard set
back of 45' for a single family dwelling without central sewer or water.

Kevin J. Vynchaer
BUILDING INSPECTOR

PERMITTED

PROPOSED OR
AVAILABLE:

VARIANCE
REQUEST:

ZONE: R-3 USE: Single Family

MIN. LOT AREA:

MIN LOT WIDTH:

REQ'D.. FRONT YD: 45'

13.7

31.3

REQ'D. SIDE YD:

REQD. TOTAL SIDE YD:

REQ'D REAR YD:

REQ'D FRONTAGE:

MAX. BLDG. HT.:

FLOOR AREA RATIO:

MIN. LIVABLE AREA:

DEV. COVERAGE:

cc: Z.B.A., APPLICANT, FILE ,W/ ATTACHED MAP

PLEASE ALLOW FIVE TO TEN DAYS TO PROCESS
IMPORTANT
YOU MUST CALL FOR ALL REQUIRED INSPECTIONS OF CONSTRUCTION

Other inspections will be made in most cases but those listed below must be made or Certificate of Occupancy may be withheld. Do not mistake an unscheduled inspection for one of those listed below. Unless an inspection report is left on the job indicating approval of one of these inspections it has not been approved and it is improper to continue beyond that point in the work. Any disapproved work must be reinspected after correction.

1. When excavating is complete and footing forms are in place (before pouring.)
2. Foundation inspection. Check here for waterproofing and footing drains.
3. Inspect gravel base under concrete floors and underslab plumbing.
4. When framing, rough plumbing, rough electric and before being covered.
5. Insulation.
6. Final inspection for Certificate of Occupancy. Have on hand electrical inspection data and final certified plot plan. Building is to be completed at this time. Well water test required and engineer's certification letter for septic system required.
7. Driveway inspection must meet approval of Town Highway Superintendent. A driveway bond may be required.
8. \$50.00 charge for any site that calls for the inspection twice.
9. Call 24 hours in advance, with permit number, to schedule inspection.
10. There will be no inspections unless yellow permit card is posted.
11. Sewer permits must be obtained along with building permits for new houses.
12. Septic permit must be submitted with engineer's drawing and perc test.
13. Road opening permits must be obtained from Town Clerk's office.
14. All building permits will need a Certificate of Occupancy or a Certificate of Compliance and here is no fee for this.

FOR OFFICE USE ONLY:
Building Permit #: 40-2000

AFFIDAVIT OF OWNERSHIP AND/OR CONTRACTOR'S COMP & LIABILITY INSURANCE CERTIFICATE IS
REQUIRED BEFORE PERMIT WILL BE ISSUED

PLEASE PRINT CLEARLY - FILL OUT ALL INFORMATION WHICH APPLIES TO YOU

Owner of Premises ANDREW E. RYAN

Address 207 Dubois st Newburgh NY 12550 Phone 914 562 0314

Mailing Address ~~Same~~ Same 12550

Name of Architect ANTHONY J. COPPOLA

Address 375 Third st Newburgh NY 12550 Phone 561 3559

Name of Contractor ANDREW E. RYAN

Address 207 Dubois st Newburgh Phone 562 0314

State whether applicant is owner, lessee, agent, architect, engineer or builder Owner + Builder

If applicant is a corporation, signature of duly authorized officer. N/A

(Name and title of corporate officer)

1. On what street is property located? On the N and W side of Canterbury Ln
(N,S,E or W) and 540' feet from the intersection of Old Forge Rd
2. Zone or use district in which premises are situated _____ Is property a flood zone? Y _____ N _____
3. Tax Map Description: Section 50 Block 2 Lot 12.2
4. State existing use and occupancy of premises and intended use and occupancy of proposed construction.
a. Existing use and occupancy single family home b. Intended use and occupancy Single
5. Nature of work (check if applicable) New Bldg ☐ Addition ☐ Alteration ☒ Repair ☐ Removal ☐ Demolition ☐ Other ☐
2ND STORY ADDITION
6. Is this a corner lot? No
7. Dimensions of entire new construction. Front 46 Rear 46 Depth 23'6" Height 21' No. of stories 2
8. If dwelling, number of dwelling units: 1 Number of dwelling units on each floor 1
Number of bedrooms 2 Baths 2 Toilets 2 Heating Plant: Gas ☒ Oil _____
Electric/Hot Air _____ Hot Water ☒ If Garage, number of cars 1 1/2
9. If business, commercial or mixed occupancy, specify nature and extent of each type of use N/A
10. Estimated cost \$18,000 Fee _____

/ /
date

APPLICATION FOR BUILDING PERMIT
TOWN OF NEW WINDSOR, ORANGE COUNTY, NEW YORK
Pursuant to New York State Building Code and Town Ordinances

Building Inspector: Michael L. Babcock
Asst. Inspectors Frank Lisi & Louis Krychear
New Windsor Town Hall
555 Union Avenue
New Windsor, New York 12553
(914) 563-4618
(914) 563-4693 FAX

Bldg Insp Examined _____
Fire Insp Examined _____
Approved _____
Disapproved _____
Permit No. _____

INSTRUCTIONS

- This application must be completely filled in by typewriter or in ink and submitted in duplicate to the Building Inspector.
- Plot plan showing location of lot and buildings on premises, relationship to adjoining premises or public streets or areas, and giving a detailed description of layout of property must be drawn on the diagram, which is part of this application.
- This application must be accompanied by two complete sets of plans showing proposed construction and two complete sets of specifications. Plans and specifications shall describe the nature of the work to be performed, the materials and equipment to be used and installed and details of structural, mechanical and plumbing installations.
- The work covered by this application may not be commenced before the issuance of a Building Permit.
- Upon approval of this application, the Building Inspector will issue a Building Permit to the applicant together with approved set of plans and specifications. Such permit and approved plans and specifications shall be kept on the premises, available for inspection throughout the progress of the work.
- No building shall be occupied or used in whole or in part for any purpose whatever until a Certificate of Occupancy shall have been granted by the Building Inspector.

APPLICATION IS HEREBY MADE to the Building Inspector for the issuance of a Building Permit pursuant to the New York Building Construction Code Ordinances of the Town of New Windsor for the construction of buildings, additions, or alterations, or for removal or demolition or use of property as herein described. The applicant agrees to comply with all applicable laws, ordinances, regulations and certifies that he is the owner or agent of all that certain lot, piece or parcel of land and/or building described in this application and if not the owner, that he has been duly and properly authorized to make this application and to assume responsibility for the owner in connection with this application.

Andrew S. Ryan
(Signature of Applicant)

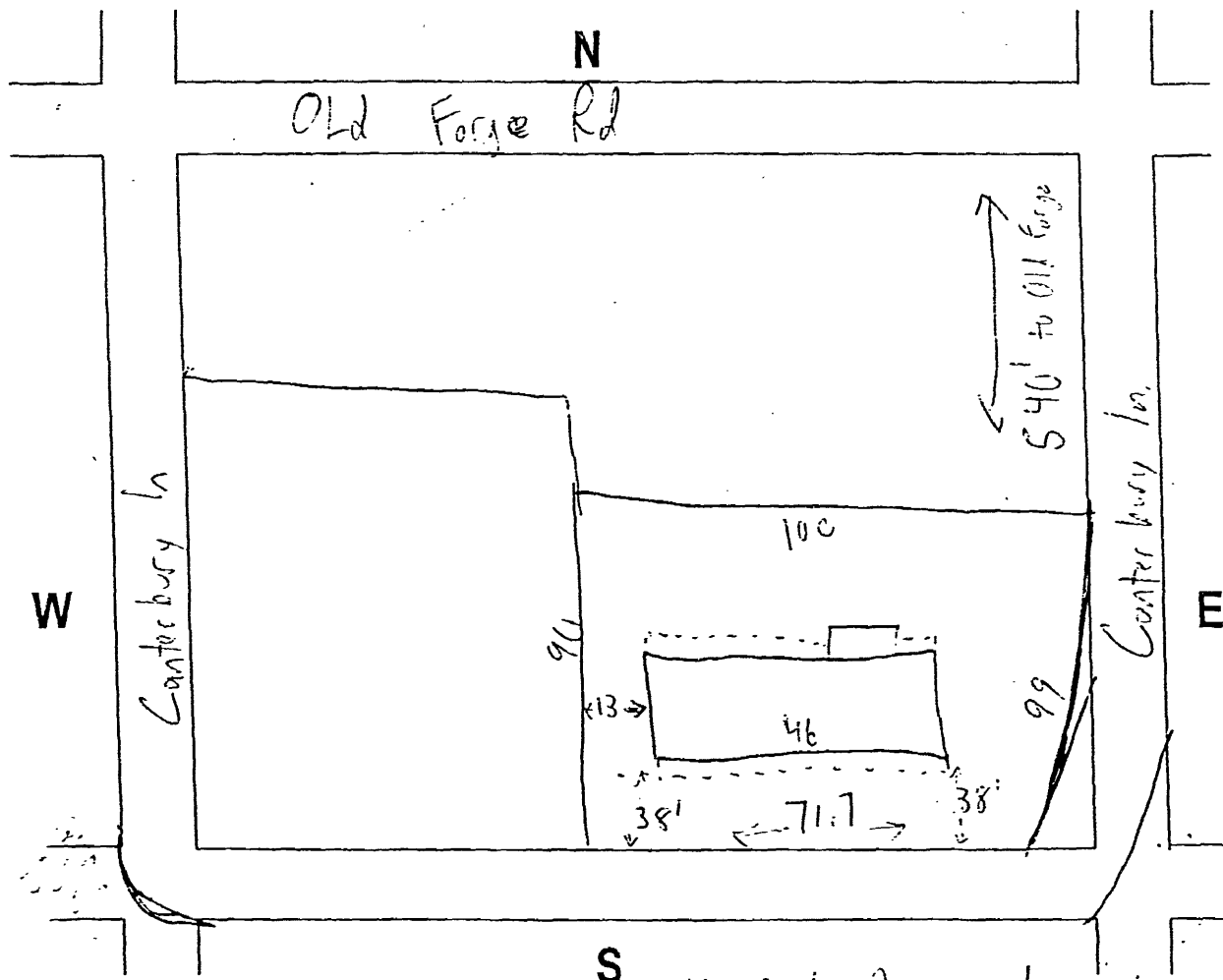
207 Debois St Newburgh NY
(Address of Applicant)

Andrew S. Ryan
(Owner's Signature)

Same
(Owner's Address)

PLOT PLAN

NOTE: Locate all buildings and indicate all set back dimensions. Applicant must indicate the building line or lines clearly and distinctly on the drawings.



Existing house is 40 feet from road.
With center line ~~on~~ second story, house will be 38',

TOWN OF NEW WINDSOR

AFFIDAVIT OF OWNERSHIP

IN ONE AND TWO FAMILY HOME

1. (I) (WE) are the OWNERS (s) of the property described herein, and attest that we will be doing all construction for ANDREW F. RYAN without outside contractors. for Second story Addition

2. The property is a (one) (two) family dwelling located at:

Address: 19 Canterbury Ln.
Town: New Windsor County: Orange
State: NY Zip: 12553

Andrew F. Ryan
Owner ANDREW F. RYAN

Owner

Sworn to before me this 20th day
of January, ~~19~~ 2000
Patricia A. Barnhart
Notary Public

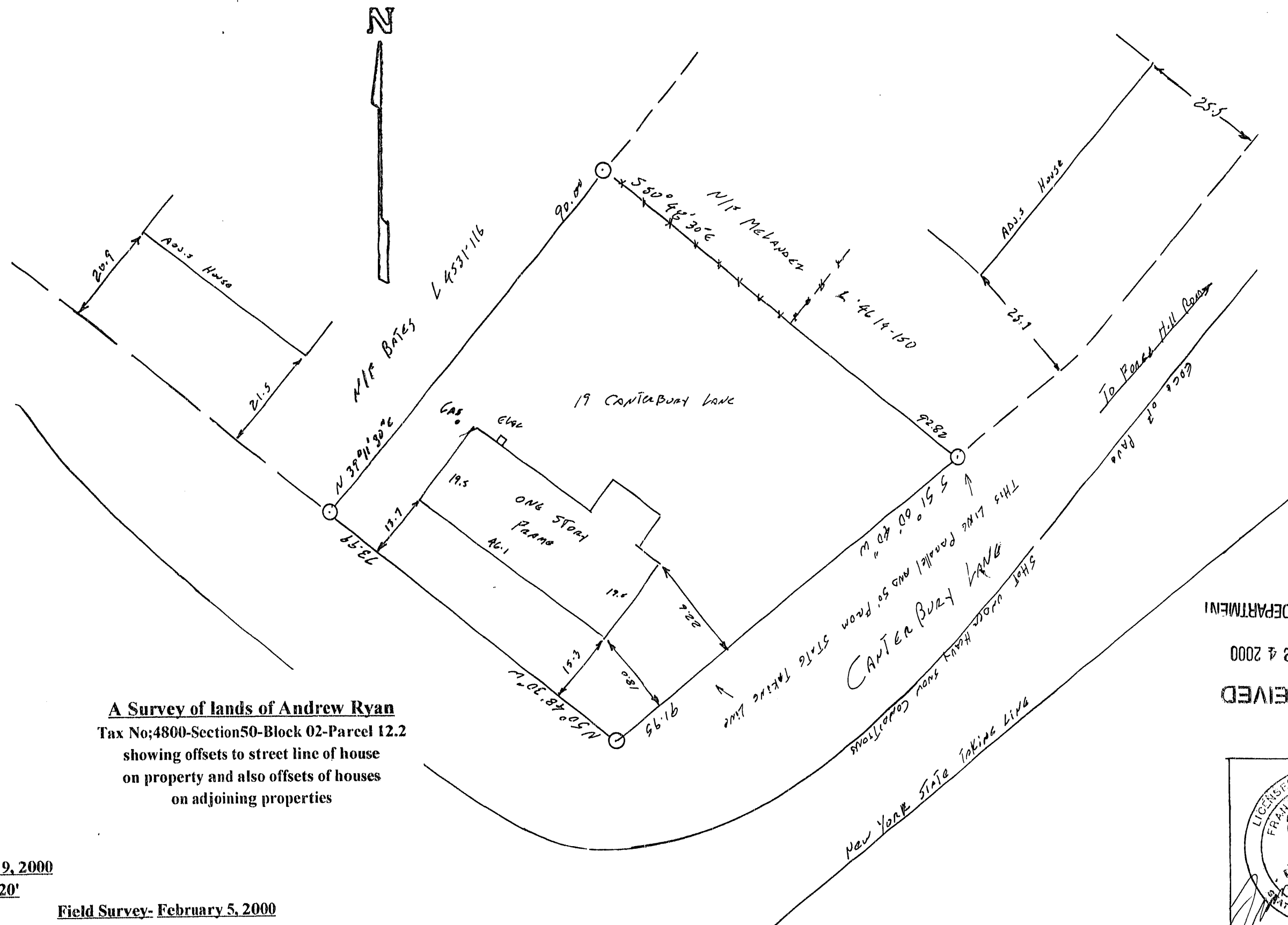
Building Permit # _____

PATRICIA A. BARNHART
Notary Public, State of New York
Commission Expires August 31, 2001

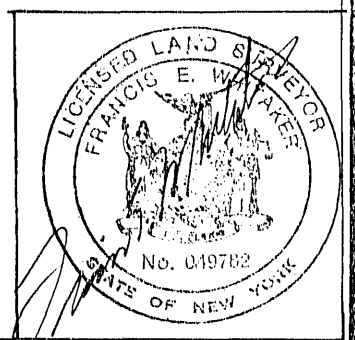
A Survey of lands of Andrew Ryan
 Tax No;4800-Section50-Block 02-Parcel 12.2
 showing offsets to street line of house
 on property and also offsets of houses
 on adjoining properties

February 9, 2000
 Scale 1"=20'
 00-03

Field Survey- February 5, 2000



RECEIVED
 FEB 24 2000
 BUILDING DEPARTMENT



ZONING BOARD OF APPEALS:TOWN OF NEW WINDSOR
COUNTY OF ORANGE:STATE OF NEW YORK

In the Matter of the Application for Variance of

Andrew E. Ryan

00-07.

**AFFIDAVIT OF
SERVICE
BY MAIL**

STATE OF NEW YORK)
) SS.:
COUNTY OF ORANGE)

PATRICIA A. CORSETTI, being duly sworn, deposes and says:

That I am not a party to the action, am over 18 years of age and reside at 7 Franklin Avenue, New Windsor, N. Y. 12553.

That on the 24th day of February, 2000, I compared the _____ addressed envelopes containing the Public Hearing Notice pertinent to this case with the certified list provided by the Assessor regarding the above application for a variance and I find that the addresses are identical to the list received. I then caused the envelopes to be deposited in a U.S. Depository within the Town of New Windsor.

Patricia A. Corbett

Notary Public

Sworn to before me this

____ day of _____, 20____.

Notary Public

R&F- 3/27/00.

We the undersigned, are neighbors
of 19 Canterbury Lane, and support ANDREW RYAN'S
(New Windsor, N.Y.)
application for a variance to build a
second story cantilever which encroaches into his
front yard.

NAME	ADRESS
1. Richard STRADER	23 CANTEBURY LN.
2. Louis Pignetti	7 CANT. BURY LANE
3. Timothy Lyons	18 Canterbury Lane
4. Kate Ringel	29 Canterbury Lane
5. David Rine	29 Cantabury Ln
6. Victor G. Calchi	5 Canterbury Ln
7.	
8.	
9.	
10.	

Town of New Windsor
555 Union Avenue
New Windsor, NY 12553
(914) 563-4611

RECEIPT
#118-2000

02/22/2000

Ryan, Andrew

Received \$ 50.00 for Zoning Board Fees, on 02/22/2000. Thank you for stopping by the Town Clerk's office.

As always, it is our pleasure to serve you.

Dorothy H. Hansen
Town Clerk

ZBA # 60-07

Clk # 326

PUBLIC NOTICE OF HEARING

ZONING BOARD OF APPEALS

TOWN OF NEW WINDSOR

PLEASE TAKE NOTICE that the Zoning Board of Appeals of the TOWN OF NEW WINDSOR, New York, will hold a Public Hearing pursuant to Section 48-34A of the Zoning Local Law on the following Proposition:

Appeal No. 17

Request of Andrew E. Ryan

for a VARIANCE of the Zoning Local Law to Permit:

construction of second floor addition to single-family residence w/ cantilever which encroaches into front yard,

being a VARIANCE of Section 48-12 - Table of Use/Bulk Regs - Col. E

for property situated as follows:

19 Canterbury Lane, New Windsor, N.Y. 12553

known and designated as tax map Section 50, Blk. 2 Lot 12.2

PUBLIC HEARING will take place on the 29th day of March, 2000 at the New Windsor Town Hall, 555 Union Avenue, New Windsor, New York beginning at 7:30 o'clock P.M.

James Nugent
Chairman

TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS

APPLICATION FOR VARIANCE

00-07

Date: 2/22/00

I. ✓ Applicant Information:

- (a) ANDREW F. RYAN 207 Dubois St Newburgh NY 914 562-0314
(Name, address and phone of Applicant) 17550 (Owner)
- (b) _____
(Name, address and phone of purchaser or lessee)
- (c) _____
(Name, address and phone of attorney)
- (d) _____
(Name, address and phone of contractor/engineer/architect)

II. Application type:

- ☐ Use Variance ☐ Sign Variance
- ☒ Area Variance ☐ Interpretation

III. ✓ Property Information:

- (a) R-3 19 Canterbury B Lane SO-2-12.2 85x95
(Zone) (Address) (S B L) (Lot size) approx.
- (b) What other zones lie within 500 ft.? _____
- (c) Is a pending sale or lease subject to ZBA approval of this application? No
- (d) When was property purchased by present owner? Yes
- (e) Has property been subdivided previously? No
- (f) Has property been subject of variance previously? No
If so, when? _____
- (g) Has an Order to Remedy Violation been issued against the property by the Building/Zoning Inspector? No
- (h) Is there any outside storage at the property now or is any proposed? Describe in detail: No
- _____

IV. Use Variance. N/A

- (a) Use Variance requested from New Windsor Zoning Local Law, Section _____, Table of _____ Regs., Col. _____, to allow:
(Describe proposal) _____
- _____

(b) The legal standard for a "use" variance is unnecessary hardship. Describe why you feel unnecessary hardship will result unless the use variance is granted. Also set forth any efforts you have made to alleviate the hardship other than this application.

(c) Applicant must fill out and file a Short Environmental Assessment Form (SEQR) with this application.

(d) The property in question is located in or within 500 ft. of a County Agricultural District: Yes No .

If the answer is Yes, an agricultural data statement must be submitted along with the application as well as the names of all property owners within the Agricultural District referred to. You may request this list from the Assessor's Office.

✓ V. Area variance:

(a) Area variance requested from New Windsor Zoning Local Law, Section 48-12, Table of Use/Bulk Regs., Col. E.

<u>Requirements</u>	<u>Proposed or Available</u>	<u>Variance Request</u>
Min. Lot Area		
Min. Lot Width		
Reqd. Front Yd. <u>45'</u>	<u>38'</u>	<u>7'</u>
Reqd. Side Yd. _____	_____	_____
Reqd. Rear Yd. _____	_____	_____
Reqd. Street Frontage*	_____	_____
Max. Bldg. Hgt. _____	_____	_____
Min. Floor Area*	_____	_____
Dev. Coverage* _____ %	_____ %	_____ %
Floor Area Ratio** _____	_____	_____
Parking Area _____	_____	_____

* Residential Districts only

** No-residential districts only

✓ (b) In making its determination, the ZBA shall take into consideration, among other aspects, the benefit to the applicant if the variance is granted as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant. Also, whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the area variance; (2) whether the benefit sought by the applicant can be achieved by some other method feasible for the applicant to pursue other than an area variance; (3)

whether the requested area variance is substantial; (4) whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district; and (5) whether the alleged difficulty was self-created.

Describe why you believe the ZBA should grant your application for an area variance:

① The house is in a neighborhood where almost all houses are almost as close to the road. The 2 foot center level would not greatly change the character. ② The existing house is only 19 feet wide, a two foot center level would allow a better looking and functional house. ③ 2 feet on the second floor only is not greatly substantial. ④ The neighbors seem to support the proposed change. ⑤ The difficulty was not self created.

(You may attach additional paperwork if more space is needed)

VI. Sign Variance: N/A

(a) Variance requested from New Windsor Zoning Local Law, Section _____, Regs.

	<u>Requirements</u>	<u>Proposed or Available</u>	<u>Variance Request</u>
Sign 1	_____	_____	_____
Sign ..	_____	_____	_____
Sign 3	_____	_____	_____
Sign	_____	_____	_____
	_____	_____	_____
	_____	_____	_____

(b) Describe in detail the sign(s) for which you seek a variance, and set forth your reasons for requiring extra or over size signs.

(c) What is total area in square feet of all signs on premises including signs on windows, face of building, and free-standing signs?

VII. Interpretation: N/A

(a) Interpretation requested of New Windsor Zoning Local Law, Section _____, Table of _____ Regs., Col. _____.

(b) Describe in detail the proposal before the Board:

✓ VIII. Additional comments:

(a) Describe any conditions or safeguards you offer to ensure that the quality of the zone and neighboring zones is maintained or

upgraded and that the intent and spirit of the New Windsor Zoning is fostered. (Trees, landscaping, curbs, lighting, paving, fencing, screening, sign limitations, utilities, drainage.)

IX. Attachments required:

- ☒ Copy of referral from Bldg./Zoning Insp. or Planning Bd.
- ☒ Copy of tax map showing adjacent properties.
- ☒ N/A Copy of contract of sale, lease or franchise agreement.
- ☒ Copy of deed and title policy.
- ☒ Copy(ies) of site plan or survey showing the size and location of the lot, the location of all buildings, facilities, utilities, access drives, parking areas, trees, landscaping, fencing, screening, signs, curbs, paving and streets within 200 ft. of the lot in question.
- ☒ N/A Copy(ies) of sign(s) with dimensions and location.
- ☒ Two (2) checks, one in the amount of \$ 50.00 and the second check in the amount of \$ 300.00, each payable to the TOWN OF NEW WINDSOR.
- ☒ Photographs of existing premises from several angles.

X. Affidavit.

Date: 2/22/00.

STATE OF NEW YORK)
) SS.:
COUNTY OF ORANGE)

The undersigned applicant, being duly sworn, deposes and states that the information, statements and representations contained in this application are true and accurate to the best of his/her knowledge or to the best of his/or information and belief. The applicant further understands and agrees that the Zoning Board of Appeals may take action to rescind any variance granted if the conditions or situation presented herein are materially changed.

x Andrew E. Ryan
(Applicant)

Sworn to before me this

2nd day of February, 2000
Patricia A. Barnhart

XI. ZBA Action:

(a) Public Hearing date: _____

PATRICIA A. BARNHART
Notary Public, State of New York
No. 01BA4904434
Qualified in Orange County
Commission Expires August 31, 18 2000

(b) Variance: Granted (____) Denied (____)

(c) Restrictions or conditions: _____

NOTE: A FORMAL DECISION WILL FOLLOW UPON RECEIPT OF THE PUBLIC HEARING MINUTES WHICH WILL BE ADOPTED BY RESOLUTION OF ZONING BOARD OF APPEALS AT A LATER DATE.

(ZBA DISK#7-080991.AP)



Town of New Windsor

555 Union Avenue
New Windsor, New York 12553
Telephone: (914) 563-4631
Fax: (914) 563-4693

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Assessors Office

February 18th, 2000

Andrew E. Ryan
207 Dubois Street
Newburgh, NY 12550

Re: 50-2-12.2

Dear Mr. Ryan:

According to our records, the attached list of property owners are within five hundred (500) feet of the above referenced property.

The charge for this service is \$55.00, minus your deposit of \$25.00.

Please remit the balance of \$30.00 to the Town Clerk's Office.

Sincerely,

Leslie Cook
Sole Assessor
LC/srr
Attachments

CC: Pat Barnhart, ZBA

MIRIAM S STAPLES
C/O MIRIAM S SPAULDING
67 FORGE HILL RD
NEW WINDSOR, NY 12553

MARGARET M NAPOLITANO
10 CANTERBURY LANE
NEW WINDSOR, NY 12553

SALLY O & STANLEY CLARK
25 CANTERBURY LANE
NEW WINDSOR, NY 12553

KRISTINA ROYER
63 FORGE HILL RD
NEW WINDSOR, NY 12553

JULIA & WILLIAM J ONDRISKA
12 CANTERBURY LANE
NEW WINDSOR, NY 12553

ALINA O MELENDEZ
23 CANTERBURY LANE
NEW WINDSOR, NY 12553

JEANIE LOU & ROBERT SMITH
57 FORGE HILL RD
NEW WINDSOR, NY 12553

MARION & CHARLES DEMICCO
16 CANTERBURY LANE
NEW WINDSOR, NY 12553

EILEEN J & JOHN BATES
17 CANTERBURY LANE
NEW WINDSOR, NY 12553

FRANCES LADDICK
45 FORGE HILL RD
NEW WINDSOR, NY 12553

VERONICA FARINA HARRIS
97802 OVERSEAS HIGHWAY
KEY LARGO, FL 33037

LINDA RIEB & WILLIAM O KANE
13 CANTERBURY LANE
NEW WINDSOR, NY 12553

SUE ANN GOULD
15 STAPLES LANE
NEW WINDSOR, NY 12553

SUSAN & ANTHONY ZAPPOLA
5 FORGE HILL RD
NEW WINDSOR, NY 12553

HAZEL A & WALTER J CASEY
11 CANTERBURY LANE
NEW WINDSOR, NY 12553

JOSEPH F & MARY D BRADLEY
4 STAPLES LANE
NEW WINDSOR, NY 12553

PAUL N & CATHERINE CITTADINO
LEININGER
9 FORGE HILL RD
NEW WINDSOR, NY 12553

CATHERINE & THEODORE A
VALLEAU
9 CANTERBURY LANE
NEW WINDSOR, NY 12553

MARY A WAGNER
15 FORGE HILL RD
NEW WINDSOR, NY 12553

ANNE FARRICKER-KANE &
CHRISTOPHER J KANE
33 CANTERBURY LANE
NEW WINDSOR, NY 12553

KATHLEEN M CORKE & LOUIS
PIGNETTI
7 CANTERBURY LANE
NEW WINDSOR, NY 12553

PATRICK K PURCELL
13 FORGE HILL RD
NEW WINDSOR, NY 12553

M SHANNON & MARK W KINTZ
31 CANTERBURY LANE
NEW WINDSOR, NY 12553

VICTOR A & MARIA CALCHI
REVOCABLE TRUST
5 CANTERBURY LANE
NEW WINDSOR, NY 12553

FRANCIS LEWIS
4 CANTERBURY LANE
NEW WINDSOR, NY 12553

KATHERINE C & DAVID L RINGEL
29 CANTERBURY LANE
NEW WINDSOR, NY 12553

EDNA J & THOMAS MULLEN
3 CANTERBURY LANE
NEW WINDSOR, NY 12553

HUGH B & LEONA M GAVIN
8 CANTERBURY LANE
NEW WINDSOR, NY 12553

PAMELA LAFFIN & DAVID JONES
27 CANTERBURY LANE
NEW WINDSOR, NY 12553

TERRI & MICHAEL MASTROROCO
3 FORGE HILL RD
NEW WINDSOR, NY 12553

SANDRA C & JOSEPH V BURKERT
323 ROUTE 210
STONY POINT, NY 10980

CACTUS RESORT PROPERTIES INC
ATT. BILL BREITMAN
115 WEST CENTURY RD
PARAMUS, NJ 07652

MARY DIANTHA & JOSEPH F
BRADLEY
775 FORGE HILL RD
NEW WINDSOR, NY 12553

KATHRYN & FRED JR WYGANT
7 FORGE HILL RD
NEW WINDSOR, NY 12553

SLOOP HILL ASSOCIATES, LLC
PO BOX 495
CORNWALL NY 12518

MID-HUDSON II HOLDING CO INC
PO BOX 298
NEW PALTZ, NY 12566

CARMELA L & JOHN STAPLES
6 STAPLES LANE
NEW WINDSOR, NY 12553

ALL PHASE STRUCTURE I, INC.
18 CANTERBURY LANE
NEW WINDSOR, NY 12553

10	Zoning Board Mtg	75.00
	Misc - 2	
	Trinajstic - 5	
	Ryan - 3 13.50	
	Scaglione - 10	
	Maurice - 1	
	<u>21</u>	94.50
		<u>169.50</u>

RYAN, ANDREW E.

MR. TORLEY: Request for 7 ft. front yard variance to allow single-family home with cantilever at 19 Canterbury Lane in an R-3 zone.

Mr. Andrew Ryan appeared before the board for this proposal.

MR. RYAN: I have brought a small home in New Windsor, I guess I'm a little close to my front. I want to put a second story, the house is very thin, it's only 19 1/2 on the outside and double the walls to go up, so I want to put a little cantilever front and back to give it a little space as well as some shape. I have some preliminary plans drawn by an architect. I have had a survey done of the property. I've got some pictures and I can show the whole neighborhood is all small, mostly 50 x 100 and everybody's very close to the road, everyone's within really 25 feet. I thought I was much further. The actual property line is close, I'm actually 40 foot from the pavement, but not all of that is, the Town owns a good portion of that, it's going up the 9W hill and these are the two side blocks, shows everyone's kind of close.

MR. TORLEY: With your two foot cantilever, would you be closer to the road than the neighboring houses?

MR. RYAN: Closer to the pavement, no.

MR. TORLEY: Well, closer to your property line?

MR. RYAN: My surveyor did the two adjacent houses whereas I'm 15 here, he's 21, but then he's got a deck that sticks out another 11 foot or so, and this one, he's 25 back, that would probably be the average on the side blocks.

MR. TORLEY: How much of an overhang is he allowed?

MR. BABCOCK: The problem, the first problem, Mr. Chairman, is that his house is existing right now 38 feet off the property line and the code says it's supposed to be 45. So to go out another 32 foot, if he

was at the 45 foot limit, he could go out three foot with the cantilever, project into the front yard and be legal, but since the bottom structure's not legal, he can't project out any farther.

MR. TORLEY: Bottom?

MR. KANE: Is 38 foot.

MR. TORLEY: Since the zoning, so it's not--

MR. BABCOCK: Right.

MR. TORLEY: So you're stuck.

MR. REIS: Just as a matter of reference, Mr. Chairman, I'm familiar with the location and there's several homes that I don't know if they relate or are acceptable for today's code, but this would not be in my opinion that would not be a hazard in any way.

MR. BABCOCK: No.

MR. TORLEY: It's well clear of the paving.

MR. KANE: Mr. Chairman, accept a motion?

MR. TORLEY: Yes.

MR. KANE: Move we set up Mr. Ryan for public hearing on the requested variances.

MR. REIS: Second it.

ROLL CALL

MR. REIS	AYE
MR. KANE	AYE
MR. TORLEY	AYE

MR. KRIEGER: When you come back for the public hearing, if you would address yourself to the criteria on that sheet, that would be helpful, since those are the criteria on which the state requires the zoning board to decide.

MR. RYAN: Thank you.

MS. BARNHART: I'll keep some of your photos in the file for the public hearing, is that okay?

MR. RYAN: Yes, I've got doubles.

MS. BARNHART: Okay, thank you.